

**REMARKS**

Claims 1 and 6-18 are pending in the patent application. The Examiner has rejected Claims 1 and 6-18 under 35 USC 103(a) as unpatentable over Boyle, et al in view of Coffee.

Applicant first contends that the Coffee patent publication, 2006/0182055, should not be available as a prior art reference against the present application. The Coffee patent publication was published based on a patent application having a filing date of January 18, 2006. There is no indication on the Declaration or in the Specification that the Coffee patent application claims priority to any earlier filing. Accordingly, since the earliest effective date of the Coffee patent publication is January 18, 2006, which is after the December 14, 2001 filing date of the present application, the cited Coffee teachings are not available as prior art against the presently pending claims.

Applicant maintains the contention that the Boyle patent does not teach or suggest all of the features of the pending claims. The present application teaches and claims an apparatus and method for serving data employs a web server and a communications interface operable to enable the

web server to send and receive messages on a wireless digital packet network, to act as a wireless web server. A method of serving data involves receiving a data request message from a wireless digital packet network, requesting data from a wireless web server in response to the data request message and transmitting on the wireless digital packet network a response message including data produced by the wireless web server in response to the data request message. A method of requesting data from a server involves transmitting a message on a wireless digital packet network for use by a wireless web server operable to receive messages from the wireless digital packet network. Transmitting the message may involve producing a wireless digital packet network message containing a Transmission and Control Protocol/Internet Protocol (TCP/IP) message. The method may further involve receiving, from the wireless digital packet network, a message produced by the wireless web server.

Applicant respectfully maintains that the Boyle patent does not teach or suggest a wireless server; but, rather, teaches a link station for directly connecting to the server and for wirelessly communicating with the gateway and/or handheld devices to communicate server information thereto.

The Boyle patent is directed to methods for pushing and pulling data in a computer network. Data are pushed from a source to a destination via an intermediate computer system. With reference to Fig. 1, the intermediate computer system, link station 124, relays a user request to a server 130.1 and then transmits the server response to the user, directly to handheld device 120.2 or through a gateway 126 of a wireless network 125 to handheld device 120.1. The link station provides a browser proxy function and a messenger function for handling the communications (i.e., requests and responses).

The Boyle patent does not teach or suggest that the server can communicate wirelessly, or that the server has a built-in communication interface for conveying internet messages to and from the server using a wireless digital packet network. Rather, Boyle requires the link station to receive the server responses, convert them as necessary, and transmit them to the user destinations. The only wireless connection in Boyle is between the link station and the wireless network. Boyle neither teaches nor suggests a wireless web server with a wireless communications interface. The Examiner acknowledges on page 2 of the

present Office Action that "Boyle et al do not specifically disclose a wireless web server" (page 4 of the OA).

Further, as argued above, the Coffee patent publication is not available as a prior art reference since it was filed after the filing of the present application.

For a determination of obviousness, the prior art must teach or suggest all of the claim limitations. "All words in a claim must be considered in judging the patentability of that claim against the prior art" (In re Wilson, 424 F. 2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). If the cited references fail to teach each and every one of the claim limitations, a *prima facie* case of obviousness has not been established by the Examiner. Since the Boyle patent does not show each and every feature of the claimed invention, and since the Coffee patent publication is not available as prior art, Applicant respectfully requests that the rejection based on 35 USC § 103 be withdrawn and that Claims 1 and 6-18 be passed to issuance.

Respectfully submitted,  
James Sheung Lau

By: /Anne Vachon Dougherty/  
Anne Vachon Dougherty  
Registration No. 30,374  
Tel. (914) 962-5910